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Assistance to survivors of the 1994 genocide in Rwanda, particularly orphans, widows and victims of sexual violence

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Report of the Secretary-General

Summary

The present report is submitted to the General Assembly pursuant to resolution 66/228. It provides a status report on and an analysis of the current challenges to the delivery of relief and rehabilitation assistance by the United Nations and its partners to survivors of the 1994 genocide in Rwanda, in addition to recommendations for appropriate ways to meet those survivors' remaining needs.

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I. Introduction

1. The present report is submitted to the General Assembly in compliance with resolution 66/228, in which the Assembly requested the Secretary-General to encourage the relevant agencies, funds and programmes of the United Nations system to provide assistance to survivors of the 1994 genocide in Rwanda, particularly in the areas of education for orphans, medical care and treatment for victims of sexual violence, including HIV-positive victims, trauma and psychological counselling, and skills training and microcredit programmes; to support activities aimed at genocide victim remembrance and genocide prevention; to support efforts to enhance judicial capacity-building and victim support; and to propose specific recommendations for appropriate solutions to the remaining needs of survivors of the genocide. The Assembly also called upon Member States to support the efforts of the International Residual Mechanism for Criminal Tribunals to conclude the remaining cases.

II. Review of major developments

2. Some 19 years since the 1994 genocide against the Tutsi in Rwanda, the country has steadily recovered and is on the path to a more promising future. Indeed, as a result of an ambitious agenda outlined in Vision 2020 (a government development programme) and the two subsequent poverty reduction strategies, Rwanda is experiencing one of the swiftest periods of growth and socioeconomic progress in its history. The Government has made attaining the Millennium Development Goals central to its development strategy and, two years ahead of schedule, the country has achieved or is on track to achieving all the Goals, with the exception of Goal 1. The poverty rate fell by an unprecedented 12 percentage points between 2005/06 and 2010/11, implying that 1 million children, men and women have left poverty since 2008, with the sharpest declines registered in rural areas. The poverty rate remains high, however, at about 45 per cent.

3. Growth is predominantly driven by the service sector, which is the biggest contributor to the country's gross domestic product (GDP). Within that sector, the main drivers are the telecommunications sector, the developing wholesale and retail trade and transport and tourism. Furthermore, sound macroeconomic reforms have been reinforced by sustained improvements in the business environment. This performance was reflected in the improved ranking of Rwanda in the World Bank's annual "ease of doing business" index for 2012. Its rise from 150th position in 2008 to 45th position in 2012 places the country's economy second in the world in terms of most reforms undertaken.

4. The country's long-term development goals are contained in Vision 2020 and the current economic development and poverty reduction strategy, which covers the period 2013-2018. The overriding long-term national development objective is to transform Rwanda into a middle-income country with a knowledge-based economy by 2020. Special focus will be put on empowering and investing in young people and women, which is an integral part of the priorities of the economic development and poverty reduction strategy. In particular, steps have been taken to promote savings and credit facilities among young people and women through cooperatives and other initiatives. The Government is placing significant emphasis on

entrepreneurship training, with several initiatives targeting women and young people.

5. Promoting shared economic growth and reducing poverty remain important government priorities in order to meet the long-term national development objective. The Government continues to implement social protection strategies aimed at uplifting the very poor. The Vision 2020 Umurenge Programme, with three key pillars — the public works programme, direct cash transfers and a microcredit scheme — aims to make Vision 2020 and the economic development and poverty reduction strategy operational, and to directly reduce poverty at the community level, through the creation of employment opportunities for the poor and by providing cash to the poorest and most vulnerable households. The Government is also continuing to implement a one cow per family programme to improve the income-earning potential of households. The Programme has contributed to addressing the direct needs and demands of the population, especially the poorest and marginalized groups, while also providing the necessary space for local government action and involvement in the efficient delivery of public services. Supported by the *Imihigo* system (performance contracts), the programme has helped to reinforce the capacity of other service delivery agents.

6. The Government continues to demonstrate strong leadership and ownership of the development process by implementing several mechanisms to enhance aid effectiveness and coordination among development partners, in addition to facilitating a favourable environment for effective development cooperation. This provides a tremendous opportunity for the United Nations and development partners to support the Government in its efforts to attain the Millennium Development Goals and Vision 2020.

7. In the area of governance, Rwanda has made significant progress in national reconciliation, law and order and accountability, as well as in the rebuilding and strengthening of national capacity for good governance. Fostering and promoting democratic governance is a major development objective for the Government and its development partners, which is why governance issues are defined as priorities in both Vision 2020 and the economic development and poverty reduction strategy.

8. Rwanda has efficiently implemented reforms in the justice sector with new laws, new justice architecture and the use of traditional justice mechanisms such as *gacaca* courts and community-based mechanisms such as community mediators (*abunzi*), in addition to access to justice bureaux, so as to expand avenues for universal access to justice. These efforts notwithstanding, the need for access to justice remains high and, for many, unmet. The Rwanda governance scorecard for 2012, released by the Rwanda Governance Advisory Council, showed an improvement in the rule of law score (an increase from 67.71 per cent in 2010 to 73.37 per cent in 2012). This increase is mostly due to the remarkable improvement in the access to legal aid indicator, which rose from 42 per cent in 2010 to 67.18 per cent in 2012. Efforts to ensure that the rights of all citizens are equally respected are the core business of the National Human Rights Commission, which in 2011 received 982 human rights cases, of which 473 have been resolved. The remainder are under investigation.

9. HIV prevalence is relatively low (3 per cent among people between 15 and 49 years of age). Currently, 91 per cent of adults requiring antiretroviral drugs have access to them and prevention of mother-to-child transmission coverage stands at

87 per cent. Regional variations in HIV prevalence exist, however, with prevalence of 7.1 per cent in Kigali (9.4 per cent among women, 5.1 per cent among men), compared with 2.3 per cent in rural areas.

10. Rwanda is on track to achieve universal access to primary education by 2015. There has been sustained progress in access to education, with the primary net enrolment rate increasing to 95.4 per cent in 2011. Gender parity at the primary level has been achieved, with the net enrolment rate for girls reaching 97.5 per cent, compared with 94.3 per cent for boys. Furthermore, Rwanda has made important strides in gender equality and women's empowerment. Parliament is unique in that the majority of its members are women (56.3 per cent).

III. Current challenges to development

11. The country's rapid economic growth over the past decade notwithstanding, its productive base remains narrow. The economy continues to be dominated by the service sector and agriculture, accounting for some 47 and 32 per cent, respectively, of GDP in 2012, compared with only 15 per cent for the industrial sector. Furthermore, the competitiveness of industrial exports continues to be challenged by a narrow domestic market and the country's landlocked location, which increases transportation and energy costs.

12. The total number of poor people in the country fell significantly during the first economic development and poverty reduction strategy (covering the period 2008-2012), as did the extreme poverty rate. Nevertheless, the number of poor people and the extreme poverty rate remain persistently high, especially in rural areas. Although poverty rates fell more in rural areas than in urban areas from 2008 to 2011, the rate in rural areas remains at 48.7 per cent, compared with 22.1 per cent in urban areas, according to the most recent integrated household living conditions survey. Although all provinces experienced reductions in poverty during the first economic development and poverty reduction strategy, there were significant variations by district and province. In addition, the Gini coefficient remains high (0.49), the gains made towards the reduction of inequalities notwithstanding. The Rwandan poverty profile indicates that women are more affected by poverty than men, with 47 per cent of female-headed households classified as poor, compared with 44.9 per cent of all households. A key challenge for the second economic development and poverty reduction strategy is therefore to ensure sustained growth and poverty reduction nationwide and among all groups.

13. While gains in democratic governance have been made, important challenges remain. There is a need to reinforce inclusive participation in the political process by tackling the issue of political space, in addition to weaknesses in the capacity of civil society and the media. There is also a need to accelerate judicial reforms in order to improve access to high-quality justice, reduce the backlog of cases and improve the quality of the prosecution.

14. According to figures from the National Institute of Statistics for 2012, Rwanda has a population density of 416 people per square km, making it one of the most densely populated countries in Africa. While that demographic reality is an opportunity, it brings with it risks and puts pressure on the economy. The combination of population density, significant demographic growth (a population growth rate of about 2.7 per cent and a fertility rate of 4.9 children per woman of

reproductive age) and poverty places considerable pressure on the limited natural resource base, especially land, resulting in incidences of food insecurity in some parts of the country. In addition, widespread environmental degradation is undermining access by the poor to the land and natural resources on which they depend for their livelihoods.

15. Insufficient investment in infrastructure for energy, water and sanitation and transportation, coupled with the combined pressures of agricultural production, high population growth, economic expansion and rising energy needs, is increasing the environmental strain on Rwanda. Consequently, there is a need for adequate financing and capacity-building in order for the Government to deliver the necessary services in support of attaining the Millennium Development Goals.

16. Following the closure of the *gacaca* courts in 2012, justice and accountability with regard to emerging genocide cases remain a concern. The Genocide Fugitive Tracking Unit, established to build on the work of those courts, continues to lack adequate capacity to bring to justice the large numbers of Rwandan genocide suspects in foreign countries.

17. Regional peace and stability is critical to the sustainable development of Rwanda. The recurring conflict in the eastern Democratic Republic of the Congo continues to have a negative impact on regional stability, with more than 70,000 Congolese refugees currently sheltering in Rwanda. A new comprehensive approach to tackling recurring cycles of violence in the eastern Democratic Republic of the Congo, promoted by the Secretary-General, led 11 countries, including Rwanda, to sign the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region on 24 February 2013 in Addis Ababa. The Framework is a comprehensive approach that involves action at the national level in the Democratic Republic of the Congo, action at the regional level to address the legitimate concerns and interests of all the countries in the Great Lakes region and action at the international level in support of those initiatives.

IV. United Nations support

18. The United Nations provides technical and financial assistance through the Rwanda National Police in support of crime prevention programmes. Such support has resulted in the creation of anti-crime clubs in schools and communities. The community policing mechanism has improved the system of crime reduction and prevention by reinforcing national policing efforts to ensure law and order and personal security.

19. Awareness-raising activities for young people on crime prevention and reduction in high schools and universities and anti-crime clubs, as well as for the general population through local leaders, have contributed to crime prevention and, most importantly, to efforts to combat the genocide ideology.

20. The United Nations has also partnered with the national police in training police officers, in particular female officers, to combat gender-based violence. That training has equipped female officers with the skills to investigate and adequately respond to cases of gender-based violence and provide the required and appropriate support to victims.

21. With the support of the United Nations, 37 health-care providers, 65 gender focal points from the national police and 66 community leaders from the gender-based violence committees established at the sector level, in addition to community policing units and associations of people living with HIV, received training on gender-based violence and HIV prevention. They were also given help to build partnerships aimed at strengthening community prevention of and response to gender-based violence.

22. In addition, the United Nations strengthened the one-stop centres that provide holistic services to survivors of gender-based violence, reaching 4,714 such survivors (49 per cent women, 46 per cent children and 5 per cent men). The success of the centre model saw Rwanda selected to host a centre of excellence in the area of gender-based violence prevention and response for the region. The United Nations supported the Ministry of Health, both technically and financially, in the finalization of a national scale-up strategy for the centres. The Organization also contributed to the strengthening and implementation of a multisectoral HIV/AIDS prevention and treatment approach for better coordination and research. As a result of the development of strategic plans on HIV and elimination of mother-to-child transmission, Rwanda is on track to achieve universal access to HIV testing and treatment, with coverage now at 95 per cent.

23. In 2010, the United Nations supported the Government, through the National Unity and Reconciliation Commission, in the production of the first national reconciliation barometer. It is continuing to work on a follow-up study and to explore policy actions needed to further reduce occurrences of genocide-related crimes. Furthermore, the United Nations supported the Commission in the organization of community dialogues on unity and reconciliation, in addition to the establishment of unity and reconciliation clubs in schools and communities.

24. In the area of justice, the United Nations supported the closing of the *gacaca* processes. It will continue to contribute to the work of documenting the *gacaca* legacy and honouring the memories of the genocide victims. At the closing of the *gacaca* jurisdictions in December 2012, they had tried 1,958,634 cases.

25. Upon completing its work in June 2012, the National Gacaca Service provided the Genocide Fugitive Tracking Unit with a list of 71,658 genocide fugitives convicted in absentia whose whereabouts were unknown. The Unit plans to reinforce its capacity to bring to justice the large numbers of Rwandan genocide suspects in foreign countries. It is against this backdrop that the United Nations is currently supporting the National Public Prosecution Authority, through the Ministry of Justice, to complement the successful *gacaca* experience through the special chamber of the High Court for crimes against humanity. Technical assistance is being provided to support the Unit through research, investigations, advocacy and outreach. Furthermore, there is a need for a strategy to monitor the healing process and to deal with some of the challenges that Rwandan society continues to face, especially those relating to restoring property and assets.

26. An international residual mechanism for criminal tribunals was established by the Security Council in its resolution 1966 (2010) as part of the United Nations strategy to phase out the international criminal tribunals for Rwanda and the former Yugoslavia. The Arusha branch of the Mechanism took over from the International Criminal Tribunal for Rwanda on 1 July 2012, although, according to the

transitional arrangements annexed to the resolution, the Tribunal has competence to complete all trial or referral proceedings that were pending with it as at that date.

27. In partnership with the Ministry of Justice, the United Nations supported the establishment of access to justice bureaux and local committees of mediators, which will provide legal advice and mediation to citizens as part of transitional justice mechanisms. Since 2008, the Organization has supported, through the Ministry, the provision of legal aid and legal assistance, especially to the most vulnerable.

28. The United Nations has also provided support to the Association of Genocide Widows to facilitate training activities in various areas, including counselling and basic knowledge and information-sharing. The victims of the genocide have been empowered to provide technical support to the national police to effectively respond to the needs of victims of sexual-based violence. This is an indication that members of the Association, who began as vulnerable victims, have been empowered, not only as survivors but also as important actors in tackling sexual and gender-based violence.

29. In terms of economic empowerment, the United Nations continues to support capacity-building initiatives of members of the Association of Genocide Widows and Benimpuhwe to develop and enhance their skills in handicrafts and the production of peace baskets (*agaseke*) for export. This initiative has proved to be one of the most successful strategies in tackling sexual and gender-based violence, given that poverty is one of the main drivers of vulnerability to such violence.

30. The United Nations is also supporting the Association of Genocide Widows through a project aimed at building the capacity of paralegals in property and inheritance rights, raising the awareness of members and beneficiaries of the Association living with HIV/AIDS about their property and inheritance rights and providing legal assistance on property and succession disputes.

31. In 2011-2012, the United Nations supported the Association through a two-day training course on gender, HIV and conflict among widows in Mugombwa sector. The 100 widows who participated raised issues that were prohibiting them from enjoying their rights, such as access to land belonging to their husbands' families. After the training, the Executive Secretary for Mugombwa sector and the community mediators participated in resolving the issues. The training on inheritance law helped the widows to understand their rights, which they are now able to claim with the support of paralegals.

32. In 2012, in order to reduce vulnerability, the United Nations supported efforts to raise the awareness of women living with or affected by HIV/AIDS regarding their property and inheritance rights. In this regard, 6,418 genocide widows and orphans, including HIV-positive people, based in Kigali and Southern Province received awareness-raising assistance from paralegals. A total of 5,504 (86 per cent) have taken the initiative to fight for their right to land and 3,302 (51 per cent) have received positive solutions to their problems as a result of the assistance provided. In total, 202 cases of genocide widows and orphans living with HIV/AIDS have been brought before courts and tribunals.

33. The United Nations provided support to enhance knowledge and awareness of the need to protect women's property and inheritance rights among those responsible for the development, revision and implementation of relevant legal frameworks and processes. A total of 102 paralegals have been trained in how to

protect widows' property and inheritance rights in the context of HIV/AIDS. In addition, legal mobile clinics have been put in place and have helped lawyers and paralegals to contact beneficiaries. This contributes to minimizing beneficiaries' costs and other possible barriers when seeking advice from paralegals and lawyers.

34. The United Nations supported the observance of International Widows' Day on 27 June 2013 in Mugombwa sector. The ceremony was attended by the deputy mayor of Gisagara district, representatives of the army and the police and representatives of Unity Club, Pro femmes/Twese Hamwe and other civil society organizations. Also present were 331 widows from the district, who shared testimonies of the achievements and challenges of widowhood since 1994.

35. In terms of support to children, the United Nations continues to support the association Uyisenga n'Imanzi, which is involved mainly in raising awareness of the mental health problems of child survivors of the genocide. In terms of other support from the Organization, 179 members of peace basket cooperatives have been trained in cooperative management, business development and marketing. In addition, more than 800 basket weavers have been trained in leadership and civic education. Most cooperative members are widows, including genocide survivors.

36. Each year, the Federation of United Nations Staff Associations reaches out to communities affected by the trauma of the genocide as part of its contribution to the national healing process.

37. In remembrance of the victims of the 1994 genocide who were United Nations staff members, a memorial was built on the premises of the Office of the United Nations Resident Coordinator and officially inaugurated in April 1995. A new memorial was inaugurated by the Chair of the United Nations Development Group in October 2012 as a way of renewing the memories of those who perished.

V. Conclusions and recommendations

38. Rwanda has made remarkable progress in promoting peace and stability since 1994, which has translated into improved economic performance. The country continues to faces challenges in sustaining these gains and attaining all the Millennium Development Goals by 2015, however. The Government has made achievement of the Goals central to its policy framework, as defined in the economic development and poverty reduction strategies. The Government continues to demonstrate strong leadership and ownership of the development process by implementing several mechanisms to enhance aid effectiveness and coordination among development partners and by facilitating a favourable environment for effective development cooperation. The United Nations system is a strong partner of the Government in its determination to ensure a bright future for the people of Rwanda. The Organization will continue to provide strategic advice and support national efforts to sustain the gains made to date in consolidating unity, peace and reconciliation, the rule of law, human rights and shared economic growth, in addition to the efficient provision of basic social services, in particular for the most vulnerable.

39. Following the selection of Rwanda as one of the eight "Delivering as one" pilot countries in 2007, the second United Nations Development Assistance Framework was implemented, further consolidating United Nations support to the

country and enhancing the coherence and the efficiency of operations. A new development assistance framework, the United Nations Development Assistance Plan for the period 2013-2018, has been approved by the Government and the United Nations country team and has been aligned with the second economic development and poverty reduction strategy, which covers the same period. This alignment affords an important opportunity for the United Nations system to show its commitment to the principles and practices of the Paris Declaration and the Accra Agenda for Action and to respond to the most pressing issues that affect the lives of the population, especially the most vulnerable. Alignment with government priorities will also help to strengthen the role of United Nations agencies in donor harmonization and coordination processes.

40. Within the overall framework of United Nations assistance to genocide survivors, efforts are under way to improve access to high-quality justice for all and witness protection programmes. The *gacaca* courts tried more than 1.9 million cases in a period of only 10 years and contributed to the unity and reconciliation of Rwandans while ensuring justice for genocide victims. Their closure was an important milestone in the healing process in post-genocide Rwanda. While the courts records have been entrusted to the National Commission for the Fight against Genocide, the Commission is not equipped with an adequate system to protect the files efficiently. Support will be required so that the Commission is able to establish a digitalized filing system that will ensure that those files, which are critical to the legacy of the *gacaca* courts and the genocide, are adequately maintained and accessible for future use. Further support will be required for the Genocide Fugitive Tracking Unit of the Ministry of Justice and the special chamber of the High Court for crimes against humanity.

41. In the area of governance, further support will be needed to promote the participation of young people and women in the democratic process, including in decision-making at the national and local levels. Support will also be required to improve access to high-quality preventive, curative, promotional and rehabilitative services, especially for victims of sexual violence, HIV-positive persons and women and children; enhance trauma and psychological support programmes; and promote effective safety nets for the protection of the most vulnerable groups.

42. Further areas of support include victim support, in the form of improved housing and associated amenities for vulnerable groups such as orphans, widows, returnees and the internally displaced. Assistance will also be required for livelihood initiatives, orphans and vulnerable children, protection against gender-based violence, the creation of educational opportunities and the formulation and implementation of gender-sensitive social and economic policies that favour the poor and the disadvantaged.

43. Supporting groups to build sustainable enterprises and other income-generating activities through capacity-building, microcredit and access to markets will remain a priority in order to promote self-sufficiency and alleviate poverty. In addition, provision of support to special initiatives aimed at addressing the needs of those who have experienced physical injuries resulting in mental and/or physical disabilities will be critical, as will support for ageing genocide survivors.